

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SOUNDEXCHANGE, INC.

Plaintiff,

v.

SIRIUS XM RADIO INC.

Defendant.

)
)
)
)
)
)
)
)
)
)

Civil Action No. 1:24-cv-05491-NRB

**JOINT REQUEST AND PROPOSED ORDER
TO STAY THE PROCEEDING FOR NINETY DAYS**

Plaintiff SoundExchange, Inc. and Defendant Sirius XM Radio Inc. (collectively, the “Parties”) jointly request that the Court stay the proceeding for good cause.

The Parties are engaged in settlement discussions and believe a ninety (90) day stay may facilitate an orderly and amicable resolution of this matter. There is no scheduling order entered in this case and discovery has not yet commenced. There is no trial date. The Parties have fully briefed their positions regarding Defendant’s motion for judgment on the pleadings (ECF Nos. 62, 70-71, 79-80) and oral argument on the same has been requested but not yet scheduled. The Parties believe that a hearing or ruling on said motion would be disruptive to settlement discussions.

Accordingly, as set forth in the attached proposed Order, the Parties jointly request this proceeding be stayed for ninety (90) days from the date of entry of this Order to allow the Parties to continue their settlement discussions. If the settlement discussions result in a resolution, the Parties will promptly file an appropriate dismissal with the Court. If discussions remain productive, but a resolution has not been reached within 90 days, the Parties may jointly request

an extension of the stay. If the settlement discussions are not successful, the Parties shall notify the Court.

Dated: May 20, 2025

Respectfully submitted,

By: /s/ Scott Zebrak

By: /s/ Todd Larson

Scott A. Zebrak (Bar No. 5620125)
Corey Miller (Bar No. 4967709)
Jeff Kane (*pro hac vice*)
OPPENHEIM + ZEBRAK, LLP
4530 Wisconsin Avenue NW, Fifth Floor
Washington, DC 20016
Tel: 202-480-2999
scott@oandzlaw.com
corey@oandzlaw.com
jkane@oandzlaw.com

Matthew S. Hellman (*pro hac vice*)
Ruby C. Giaquinto (*pro hac vice*)
JENNER & BLOCK LLP
1099 New York Avenue, NW
Washington, D.C. 20001
Tel: 202-639-6000
mhellman@jenner.com
rgiaquinto@jenner.com

Counsel for Plaintiff SoundExchange, Inc.

Todd Larson
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, NY 10153
Telephone: (212) 310-8238
Facsimile: (212) 310-8007
Todd.Larson@weil.com

Andrew S. Tulumello (*admitted pro hac vice*)
Crystal L. Weeks (*admitted pro hac vice*)
WEIL, GOTSHAL & MANGES LLP
2001 M Street NW, Suite 600
Washington, DC 20036
Telephone: (202) 682-7100
Facsimile: (202) 857-0940
Drew.Tulumello@weil.com
Crystal.Weeks@weil.com

*Counsel for Defendant Sirius XM Radio
LLC*

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SOUNDEXCHANGE, INC.

Plaintiff,

v.

SIRIUS XM RADIO INC.

Defendant.

)
)
)
)
)
)
)
)
)
)

Civil Action No. 1:24-cv-05491-NRB

**[Proposed] Order to Stay the
Proceeding for Ninety Days**

The Court, having considered the Parties' Joint Request to Stay the Proceeding for Ninety Days, and good cause having been shown, hereby orders as follows:

1. This proceeding be stayed for ninety (90) days from the date of entry of this Order to allow the parties to continue their settlement discussions.
2. If the settlement discussions result in a resolution, the Parties will promptly file an appropriate dismissal with the Court.
3. If discussions remain productive, but a resolution has not been reached within 90 days, the Parties may jointly request an extension of the stay.
4. If the settlement discussions are not successful, the Parties will promptly notify the Court.

IT IS SO ORDERED.

Dated:

NAOMI REICE BUCHWALD
United States District Judge